



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : William Berardi, et al.  
Serial No. : 10/811,266  
Filed : March 26, 2004  
Title : DYNAMIC EQUALIZING

Art Unit : 2644  
Examiner : Unknown

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed August 10, 2004 (copy enclosed), applicant as a large entity submits herewith the following:

- ☒ Payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration;
- ☒ A check in the total amount of \$130 is attached;
- ☒ A Declaration by Inventors; and
- ☒ A Power of Attorney by Assignee.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the above address, or being facsimile transmitted to the USPTO, on the date indicated below.

OCT - 4 2004

Date of Transmission

Signature

*Charles Hieken*

Charles Hieken


Typed or Printed Name of Person Signing Certificate

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

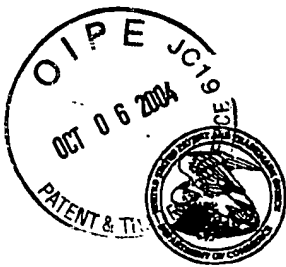
Respectfully submitted,

FISH & RICHARDSON P.C.

Date: OCT - 4 2004

  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/811,266	03/26/2004	William Berardi	02103-574001/W28

26161  
FISH & RICHARDSON PC  
225 FRANKLIN ST  
BOSTON, MA 02110

Docketed By Practice Systems
Action Code: <u>MISSING PARTS</u>
Base Date: <u>8-10-04</u>
Due Date: <u>10-10-04</u>
Deadline: <u>3-10-05</u>
Initial: <u>WAB</u>

CONFIRMATION NO. 1692

## FORMALITIES LETTER



\*OC000000013493188\*

Date Mailed: 08/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Docketed By Billing Secretary
Due Date: _____
Deadline: _____
Initials: _____

*A copy of this notice **MUST** be returned with the reply.*

10/07/2004 HDERESS1 00000069 10811266

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY